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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/971,020	10/05/2001	Hiroshi Sano	026350-068

CONFIRMATION NO. 3752

## FORMALITIES LETTER



\*OC000000007007955\*

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Date Mailed: 11/01/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/20/2001 BABRAHAI 00000087 09971020

FILED UNDER 37 CFR 1.53(b)

01 FC:205

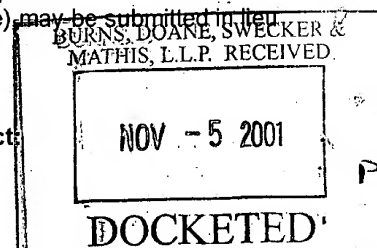
65.00 DP

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:



- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

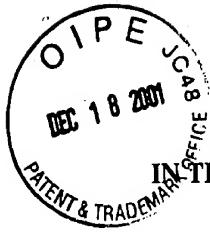
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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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Patent  
Attorney's Docket No. 026350-068

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )

Hiroshi SANO et al )

Serial No.: 09/971,020 )

Filed: October 5, 2001 )

For: Theobromine Synthase Polypeptide )  
of Coffee Plant and the Gene )  
Encoding Said Polypeptide )

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

**ATTENTION: BOX SEQUENCE**

**TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Nonprovisional Application  
dated November 1, 2001, enclosed please find:

[X] A copy of the "Sequence Listing" in computer readable form in compliance with  
37 C.F.R. §§1.823(b) and 1.824.

[X] A statement that the content of the paper and computer readable copies are the  
same as set forth in 37 C.F.R. §1.821(f).

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R.  
§§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment to Deposit  
Account No. 02-4800. A duplicate copy of this paper is enclosed.

Respectfully submitted,

P.O. Box 1404  
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BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: December 18, 2001

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